

Docket No. 8971-017-27



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Duncan W. McBRANCH, et al.

GROUP ART UNIT: 1634

SERIAL NO: 09/934,680

EXAMINER: Frank Wei Min Lu

FILED: August 23, 2001

FOR: PEPTIDE NUCLEIC ACID BASED MOLECULAR SENSORS FOR NUCLEIC ACIDS

**TERMINAL DISCLAIMER**

ASSISTANT COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

QTL Biosystems LLC is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment.

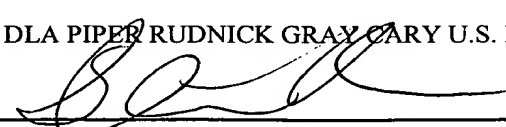
QTL Biosystems LLC hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from application Serial No. 10/098,387, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent issuing from application Serial No. 10/098,387, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

QTL Biosystems LLC does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from application Serial No. 10/098,387 in the event that any said issued patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

  
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Date Signed

Respectfully Submitted,

DLA PIPER RUDNICK GRAY CARY U.S. LLP

  
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